

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

EMANUEL D. FAIR,

Plaintiff,

v.

KING COUNTY, a political subdivision of the  
State of Washington; et al.,

Defendants.

NO. 21-cv-01706-JHC

**STIPULATED MOTION AND  
ORDER TO EXTEND EXPERT  
DISCLOSURE DEADLINE**

NOTING DATE: February 27, 2024

Pursuant to Federal Rule of Civil Procedure 16(b)(4) and Local Civil Rule 16(b)(6), all parties in this action jointly move the Court for entry of an order extending the expert disclosure deadline by two weeks as follows:

Deadline	Current Date	Proposed New Date
Disclosure of expert testimony under FRCP 26(a)(2)	March 4, 2024	March 18, 2024

The Parties are in agreement that no other modifications to the case schedule are needed as a result of this proposed scheduling adjustment.

“The decision to modify a scheduling order is within the broad discretion of the district court,” and the Court may do so on a showing of good cause. *White v. Ethicon, Inc.*, No. C20-952BHS, 2022 WL 596407, at \*1 (W.D. Wash. Feb. 28, 2022); Fed. R. Civ. P. 16(b)(4); see also

LCR16(b)(6). Good cause exists where the “schedule . . . cannot reasonably be met despite the diligence of the parties seeking the extension.” *See Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604,609 (9th Cir. 1992) (citing Fed. R. Civ. P. 16 advisory committee’s notes (1983 amendment)). The rule is intended to “accomplish effective pretrial procedures and to avoid wasting the time of the parties, counsel, and the court.” LCR 16(b)(4).

Here, good cause exists because although the Parties worked diligently to complete all witness depositions ahead of the expert disclosure deadline, and those depositions have been completed, the Parties and their experts are still waiting to receive some of the deposition transcripts. Additionally, despite the Parties’ diligence communicating with each other regarding remaining discovery requests, some documents have yet to be produced. These documents are expected to arrive within the new proposed deadline in time for expert analysis.

In sum, good cause exists, no other deadlines need be adjusted, and this requested extension will “accomplish effective pretrial procedures,” and ensure the efficiency of trial, which will, in turn, “avoid wasting the time of the parties, counsel, and the court.” LCR 16(b)(4).

IT IS SO STIPULATED.

DATED this 27th day of February, 2024.

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**ORDER**

PURSUANT to the Stipulation above, the Court hereby orders that the identified Disclosure of Expert Testimony under FRCP 26(a)(2) deadline be reset as agreed by the Parties, and sets the new deadline to March 18, 2024.

DATED this 27th day of February, 2024.



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John H. Chun  
United States District Judge